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**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:19-cv-03777-NGG-VMS**

Immerso v. United States Department of Labor  
Assigned to: Judge Nicholas G. Garaufis  
Referred to: Magistrate Judge Vera M. Scanlon  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/28/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Sandra Immerso**

represented by **Jack Jordan**  
Jack Jordan  
6225 Northlake Drive  
Parkville, ID 83714  
816-746-1955  
Email: emobilawyer@yahoo.com  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**United States Department of Labor**

represented by **Kathleen Anne Mahoney**  
United States Attorneys Office  
Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, NY 11201-1820  
(718)254-6026  
Fax: (718)254-6081  
Email: Kathleen.Mahoney@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/28/2019	<a href="#">1</a>	COMPLAINT against United States Department of Labor filing fee \$ 400, receipt number ANYEDC-11619414 Was the Disclosure Statement on Civil Cover Sheet completed -NO,, filed by Sandra Immerso. (Attachments: # <a href="#">1</a> Exhibit 1 Huber's email, # <a href="#">2</a> Exhibit 2 DI's Letter 10/28/2015, # <a href="#">3</a> Exhibit 3 DI's BRB filing 1/16/2018, # <a href="#">4</a> Exhibit 4 Huber's Declaration 8/15/2017, # <a href="#">5</a> Civil Cover Sheet) (Jordan, Jack) (Entered: 06/28/2019)
06/28/2019	<a href="#">2</a>	Proposed Summons.Civil Cover Sheet.. Re <a href="#">1</a> Complaint, by Sandra Immerso (Attachments: # <a href="#">1</a> Proposed Summons, # <a href="#">2</a> Proposed Summons, # <a href="#">3</a> Proposed Summons) (Jordan, Jack) (Entered: 06/28/2019)
06/28/2019		Case assigned to Judge Nicholas G. Garaufis and Magistrate Judge Vera M. Scanlon. Please download and review the Individual Practices of the assigned Judges, located on our <a href="#">website</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Bowens, Priscilla) (Entered: 07/01/2019)

06/28/2019	<a href="#">3</a>	Summons Issued as to United States Department of Labor, U.S. Attorney and U.S. Attorney General (Bowens, Priscilla) (Entered: 07/01/2019)
07/01/2019	<a href="#">4</a>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <b>if</b> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically <b>only if all</b> parties wish to consent. The form may also be accessed at the following link: <a href="http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf">http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf</a> . <b>You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent.</b> (Bowens, Priscilla) (Entered: 07/01/2019)
07/01/2019	<a href="#">5</a>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Bowens, Priscilla) (Entered: 07/01/2019)
08/07/2019	<a href="#">6</a>	Letter to Honorable Nicholas G. Garaufis requesting a pre-motion conference by United States Department of Labor (Mahoney, Kathleen) (Entered: 08/07/2019)
08/07/2019	<a href="#">7</a>	MEMORANDUM in Opposition re <a href="#">6</a> Letter by DOL Requesting Conference and Extension filed by Sandra Immerso. (Attachments: # <a href="#">1</a> Exhibit 131 citations prohibiting inferences) (Jordan, Jack) (Entered: 08/07/2019)
08/07/2019	<a href="#">8</a>	SUMMONS Returned Executed by Sandra Immerso. United States Department of Labor served on 7/1/2019, answer due 7/22/2019. (Attachments: # <a href="#">1</a> Exhibit Summons returned executed in FOIA case as to U.S. Attorney, # <a href="#">2</a> Affidavit of Service U.S. Attorney General, # <a href="#">3</a> Exhibit Summons returned executed as to U.S. Attorney General, # <a href="#">4</a> Affidavit of Service Solicitor of Labor, # <a href="#">5</a> Exhibit Summons returned executed as to Federal Defendant) (Jordan, Jack) (Entered: 08/07/2019)
08/08/2019		ORDER re: Defendant's <a href="#">6</a> Application for a Pre-Motion Conference: The Application is GRANTED. The parties are instructed to confer and contact the court's Deputy at 718-613-2545 to schedule the pre-motion conference. Defendant's deadline to answer the Complaint is extended until fourteen days following the entry of the order deciding Defendant's anticipated motion. Ordered by Judge Nicholas G. Garaufis on 8/8/2019. (Davis, Eleanor) (Entered: 08/08/2019)
08/08/2019	<a href="#">9</a>	NOTICE of Appearance by Kathleen Anne Mahoney on behalf of United States Department of Labor (aty to be noticed) (Mahoney, Kathleen) (Entered: 08/08/2019)
08/08/2019	<a href="#">10</a>	MOTION for Reconsideration of Minute Order 8/8/2019 by Sandra Immerso. (Attachments: # <a href="#">1</a> Memorandum in Support) (Jordan, Jack) (Entered: 08/08/2019)
08/16/2019		ORDER re: Plaintiff's <a href="#">10</a> Motion for Reconsideration: The Motion is DENIED. The pre-motion conference shall be held at 10:00 am on Thursday, August 29, 2019 in Room 4D South. Ordered by Judge Nicholas G. Garaufis on 8/16/2019. (Olds, Edward) (Entered: 08/16/2019)
08/16/2019	<a href="#">11</a>	Letter MOTION to Adjourn Conference due to counsel's unavailability by United States Department of Labor. (Mahoney, Kathleen) (Entered: 08/16/2019)
08/19/2019	<a href="#">12</a>	MOTION for Reconsideration re Scheduling Order, (requiring a conference for the reasons the DOL presented) by Sandra Immerso. (Attachments: # <a href="#">1</a> Memorandum in Support) (Jordan, Jack) (Entered: 08/19/2019)
08/20/2019		ORDER re: Defendant's <a href="#">11</a> Application to Adjourn Pre-Motion Conference and Plaintiff's <a href="#">12</a> Motion for Reconsideration: Defendant's <a href="#">11</a> Application is GRANTED. The parties are instructed to confer and contact the court's Deputy at 718-613-2545 to schedule the pre-motion conference.  Plaintiff's <a href="#">12</a> motion seeking reconsideration of the court's denial of Plaintiff's <a href="#">10</a> first motion for reconsideration is DENIED. Ordered by Judge Nicholas G. Garaufis on 8/19/2019. (Olds, Edward) (Entered: 08/20/2019)
10/04/2019		Minute Entry for proceedings held before Judge Nicholas G. Garaufis: Pre-Motion Conference held on 10/3/2019. Counsel for both parties present. The court granted Defendant leave to move to dismiss or, in the alternative, for summary judgment and set the following briefing schedule: Defendant shall serve its motion by no later than November 1, 2019; Plaintiff shall serve her response by no later than November 22, 2019; and Defendant shall serve its reply, if any, and file the fully briefed motion by no later than December 4, 2019. (Court Reporter Anthony Mancuso) (Olds, Edward) (Entered: 10/04/2019)